

EXHIBIT I

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September 15, 2004

By Facsimile

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Re: MDL 1332; Burst v. Microsoft Corporation

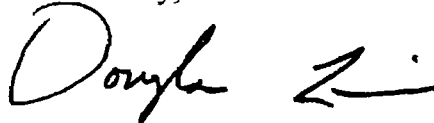
Dear Spencer and Bob:

Further to John Treece's September 14, 2004 email (attached), I am writing about Burst's patent infringement claims. Having reviewed Burst's proposed Amended Complaint and response to Microsoft's Fifth Set of Interrogatories, we are confused about what Microsoft software and features Burst now alleges infringes.

Does Burst still allege that Fast Start and Fast Cache infringe? Are Burst's allegations now limited to functionality related to downloading media content and uploading it to personal media devices?

Before we determine whether to oppose Burst's motion to amend its complaint, we need to understand what Burst is now alleging infringes and how that differs from its previous allegations. Please let me know as soon as possible. If a conversation on this topic would help, please let me know when you are available.

Sincerely,



Douglas I. Lewis

From: Treece, John W.
Sent: Tuesday, September 14, 2004 4:22 PM
To: Spencer Hosie (E-mail)
Cc: Cederoth, Richard A.
Subject: Burst Again

Regarding your motion for amended complaint, our principal concern is the addition of WMS 10 and your request for 60 days of additional discovery, both of which are new issues from before. That has drawn two questions from our team:

1. Are the current infringement contentions (re WMS 10 -- Windows Media 10 player, the Portable Media Center, and the WSN Music Service) derivative of your prior contentions, i.e., are they subsumed within what you allege for WMS 9?
2. What discovery do you think you need and generally, why 60 days?

Thanks.

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